

ILLINOIS COMMERCE COMMISSION 2003 SEP 25 P 3:45

CHIEF CLERK'S OFFICE

ILLINOIS POWER COMPANY)
)
Petition For Authority to Place)
Into Effect a Certain Revised Tariff)
Sheet On Less Than 45 Days)
Notice Pursuant to Section 9-201)
Of The Public Utilities Act)

Docket No. 03 -- 0591

VERIFIED PETITION

Illinois Power Company ("Illinois Power") hereby petitions the Illinois Commerce Commission ("Commission") for authority to place into effect a certain tariff sheet in its Ill. C. C. No. 31, Schedule of Rates for Electric Service, which is included in Exhibit A to this Petition, on less than 45 days notice, to be effective October 10, 2003, for good cause shown pursuant to § 9-201 of the Public Utilities Act ("Act").

In support of its Petition, Illinois Power states as follows:

1. Illinois Power is an Illinois corporation engaged, among other things, with full corporate authority to do so, in the transmission and distribution of electricity to the public in the State of Illinois. Illinois Power is a "public utility" as that term is defined in § 3-105 of the Act and, as such, is subject to the jurisdiction of the Commission.
2. Illinois Power is requesting approval of certain changes to its Rider TC, Transition Charge for Customers, referred to as Exhibit A, as more fully described hereinafter.
3. In Section 4(a) of existing Rider TC the Transition Charge is expressed in cents per kWh rounded to the nearest .001 cents per kWh. It has recently

come to Illinois Power's attention that a customer could have a positive Transition Charge that, although it is positive, is so low that it rounds to zero. While such rounding is necessary in order to manage the Transition Charge and apply it to Customers' usage, it was not Illinois Power's intent to limit customers' delivery service options by rounding a very low Transition Charge to zero. Illinois Power is submitting this filing to clarify Section 4(a) of Rider TC to accomplish mainly two goals: (1) Ensure that customers who have a very low, but positive, Transition Charge that rounds to zero have the option of requesting a .001 cent Transition Charge and (2) Present a reasonable time frame for any customers to whom this clarification may apply.

4. In addition to clarifying the rounding process in Section 4(a) of Rider TC, as mentioned in paragraph 3 above, Illinois Power has deleted the references to an "Annual Period" that is no longer applicable. The term "Annual Period" refers only to the period of time that the market values, which are only one piece of the Transition Charge calculation, are applicable and does not refer to the period of time the customer's Transition Charge is applicable. Therefore, its reference in this particular portion of the Rider regarding the expression of the Transition Charge, as opposed to the market values used to calculate the Transition Charge, is inappropriate and could lead to confusion. The elimination of the phrase "Annual Period" is made to eliminate any potential confusion as to how that term should be applied.

5. Illinois Power requests an effective date of October 10, 2003. The purpose of the October 10, 2003 effective date is to permit the clarification to apply to customers as soon as possible.
6. Illinois Power is providing notice to the public of this filing by publishing notice in the newspapers of general circulation throughout its service territory in accordance with 83 Illinois Administrative Code 255. Illinois Power is also giving notice to certain industrial customers as required by their contracts.
7. In instances where Transition Charges are calculated on a group basis and as a result of a bi-monthly calculation of the MVI, the group's TCc would have been a positive value had it not rounded to zero, Illinois Power proposes to notify customers to whom the group Transition Charge applies by including a footnote on the published Information Sheet containing the following language:

This TCc of .000 cents would have been a positive value if it had not been rounded to .000 cents. Any customer with this TCc may request in writing, within 30 days of the publication of such Information Sheet pursuant to the publication of market values under Rider MVI II, that customer's TCc shall be set to .001 cents (in order to have PPO eligibility) effective on the date such customer would have otherwise been charged the .000 cent TCc and shall remain in effect until the next calculation of the customer's TCc.

8. If a group Transition Charge is recalculated and Information Sheets are revised due to a change in customers' DST or Transmission rates or mitigation factor, and the group's TCc would have been a positive value had it not rounded to zero, then Illinois Power proposes that the following footnote be added to the revised Information Sheet:

This TCc of .000 cents would have been a positive value if it had not been rounded to .000 cents. Any customer with this TCc may request in writing, within 30 days of the effective date of the revision to the Information Sheet resulting in the TCc rounding to zero, that customer's TCc shall be set to .001 cents (in order to have PPO eligibility) effective on the date such customer would have otherwise been charged the .000 cent TCc and shall remain in effect until the next calculation of the customer's TCc.

9. For customers who have individually calculated Transition Charges that, although positive, have rounded down to zero, Illinois Power proposes to notify those customers in writing that they may elect to have a Transition Charge of .001 cents per kWh until the next calculation of their Transition Charge.
10. The Commission may lawfully allow the revised tariff sheet to go into effect on less than 45 days notice, without hearing.
11. Section 9-201 of the Act requires a showing of good cause before a tariff may be put into effect on less than 45 days notice. For the reasons set forth in paragraphs 3 through 5 of this Petition, good cause exists to put

the tariff sheet in Exhibit A to the Petition into effect on less than 45 days notice.

WHEREFORE, Illinois Power Company prays that this Commission enter an order authorizing Illinois Power to place into effect the tariff sheet which is included in Exhibit A hereto, on less than 45 days notice, to be effective on October 10, 2003, pursuant to the provisions of § 9-201 of the Public Utilities Act and 83 Illinois Administrative Code Part 255.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Roy Boston", with a long, sweeping horizontal line extending to the right.

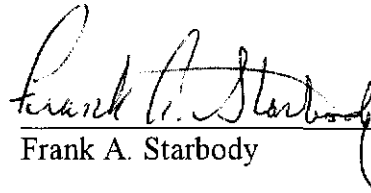
Roy Boston
Attorney
Illinois Power Company
500 S. 27th Street
Decatur, IL 62521
217-424-6472
217-424-8122 (facsimile)
roy_boston@illinoispower.com

Date: September 25, 2003

STATE OF ILLINOIS)
)
COUNTY OF MACON) SS

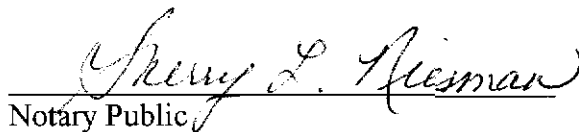
VERIFICATION

Frank A. Starbody, on oath, states that he is Vice President of Energy Supply & Customer Value for Illinois Power Company, the Petitioner herein, that he is authorized to make this verification on behalf of Petitioner; that he has read the foregoing Petition and is familiar with its contents; and that the matters set forth in the foregoing Petition are true and correct to the best of his knowledge, information and belief.



Frank A. Starbody

Subscribed and sworn to before me
this 25th day of September, 2003.



Notary Public

